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ATTORNEYS FOR DEFENDANTS BANK OF AMERICA, N.A.
(USA) AND MBNA AMERICA BANK, N.A. N/K/A BANK OF
AMERICA N.A. (USA)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JULIE GENGO AND MICHAEL
PIEDLAU,

PLAINTIFFS,

VS.

CHASE MANHATTAN BANK, N.A.,
MBNA AMERICA BANK, N.A., BANK
OF AMERICA, N.A., AND DOES 1-100,
INCLUSIVE,

DEFENDANTS.

) CASE No: C 06-4761-SBA
)
)

) **STIPULATED REQUEST AND**
) **[PROPOSED] ORDER FOR**
) **ENLARGEMENT OF TIME TO FILE**
) **RESPONSIVE PLEADING TO**
) **PLAINTIFFS' COMPLAINT**

Pursuant to Local Rule 6-2, Plaintiffs and defendant Bank of America, N.A. (USA), incorrectly named as Bank of America, N.A., and defendant MBNA America Bank, N.A., now known as Bank of America, N.A. (USA) (collectively referred to herein as the "Bank"), by and through their undersigned counsel, hereby request an enlargement of time, up to and including **November 3, 2006**, for the Bank to respond to Plaintiffs' Complaint.

Due to a recent merger between MBNA and Bank of America, the Bank's counsel needs additional time to investigate the allegations contained in Plaintiffs' Complaint so that the Bank can properly affirm or deny Plaintiffs' allegations. For convenience and efficiency, the Bank would prefer to file one responsive pleading on behalf of Bank of America and MBNA at the same time. As such, Plaintiffs' counsel has stipulated to an

STIPULATED REQUEST AND [PROPOSED] ORDER FOR ENLARGEMENT OF TIME TO FILE
RESPONSIVE PLEADING TO PLAINTIFFS' COMPLAINT

CASE NO.: C 06-4761-SBA

1 enlargement of time, up to and including **November 3, 2006**, for the Bank to respond to
2 Plaintiffs' Complaint. No substantial harm or prejudice to any party would occur due to
3 this stipulated enlargement of time. There have been no previous enlargements of time.
4 The stipulated enlargement of time would not affect the Court's schedule for this case.

5 WHEREFORE, the undersigned parties pray that this Honorable Court
6 would grant their stipulated request for enlargement of time to file responsive pleading to
7 Plaintiffs' Complaint up to and including **November 3, 2006**.

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9 Dated: September 27, 2006

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11
12 s/Jason M. Julian

13 Jason M. Julian
14 ATTORNEYS FOR DEFENDANTS
15 BANK OF AMERICA, N.A. (USA),
16 INCORRECTLY NAMED AS BANK OF
AMERICA, N.A., AND MBNA
AS BANK OF AMERICA, N.A. (USA)

17 Dated: September 27, 2006

LAW OFFICES OF DUANE
LIGHT

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20 s/Duane Light

21 Duane Light
22 ATTORNEYS FOR PLAINTIFFS JULIE
GENGO AND MICHAEL PIEDLAU

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24 DATED:

25
26 **THE HONORABLE SAUNDRA B.**
27 **ARMSTRONG**